



# LICENSE PLATE RECOGNITION SYSTEM

**FC No.: 424**

**Date: 01-01-13**

If a provision of a regulation, departmental directive, rule, or procedure conflicts with a provision of the contract, the contract prevails except where the contract provision conflicts with State law or the Police Collective Bargaining Law. (FOP Contract, Article 61)

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## **I. Policy**

- A. The department recognizes the need to preserve the delicate balance between the constitutional rights afforded to each citizen and the legitimate needs of law enforcement. The License Plate Recognition (LPR) program seeks to increase safety in Montgomery County while reducing the impact caused by homeland security threats, auto theft and other crimes. Furthermore, the system assists with the department's commitment to increasing the detection and solving of crime and other matters that impact the safety of citizens and visitors to the County.
- B. It is the policy of this department that the LPR program will be used in accordance with the guidelines set forth in this directive. The use of the LPR system and data is restricted to matters relating to public safety only. Any other use of the LPR system or data is prohibited. All data is stored as intelligence files and is governed and covered by department policies and procedures that cover intelligence files.
- C. Each day a "Hot List" database will be populated with information of specific concerns to the investigative, enforcement and public safety interests of law enforcement. This may include Terrorist Screening Center watch lists, stolen/wanted vehicles and license plates, wanted and missing persons, cautions, and license plates associated with Amber Alerts or watch lists provided for law enforcement purposes. In addition, the LPR system will act as an intelligence resource. LPR system information is available to authorized law enforcement personnel.
- D. The department will assign the mobile or portable LPR systems based on the needs of the department and may rotate the assignment of each LPR as it deems necessary.

## **II. Training Requirements**

All operators shall receive training prior to operating the LPR system. Only personnel that have successfully completed approved departmental training are allowed to operate the LPR equipment or system. Operators will use the LPR equipment and system in accordance with their training and this policy.

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### III. Procedures

- A. LPR technology uses specialized cameras and computers to capture large numbers of license plate photographs. The LPR system records license plates it comes in contact with and records the location, date, and time of each license plate read. The system compares them to a list of plates of interest. The plates of interest are referred to as a "Hot List." At this time, the LPR system does not interface with real time MVA, NLETS and NCIC data. It shall be the responsibility of the operator to ensure the most current "Hot List" available has been transferred into the LPR prior to its use but at a minimum, once per work day.
- B. LPR equipped vehicles may be used in a routine patrol capacity or for special operations. These vehicles should not be intentionally used or deployed in a manner or location that will increase the risk of damage to the LPR equipment (such as civil disturbance situations) if at all possible.
- C. Supervisors should make every effort to deploy LPR equipped vehicles on a regular basis.
- D. The LPR operator is responsible for inspecting the LPR equipment before its use and will notify their supervisor of any damage found.
- E. Receipt of a LPR "hit" or alert is not sufficient probable cause to warrant an arrest without additional verification. Verification will be done following established department procedures. Upon receiving a "hit" from the LPR, the operator will determine the accuracy of the "hit." The LPR operator will verify that the subject tag and the tag read by the LPR are actually the same. The operator will confirm the "hit" is still active by running the information through the proper system such as NCIC/VCIN. The LPR operator will use established department procedures in taking enforcement action based on the seriousness of the offense.
- F. Additional information may be entered into the LPR system at anytime. Broadcast information received following the initial download should be manually entered immediately upon receipt by the LPR operator. The reason for the entry shall be included in the "note" portion of the entry screen (e.g., stolen vehicle, missing person, abduction, Amber Alert, robbery suspect).
- G. Under no circumstances should an LPR operator attempt to modify the LPR equipment or software operating system.
- H. LPR cameras will be removed from the vehicle's exterior at the end of an officer's shift and prior to entering an automatic car washing facility, unless it is brushless.
- I. Any time the LPR unit is disconnected, unmounted or removed from the vehicle, it shall be placed in the protective storage case and secured to prevent damage and theft.
- J. The LPR coordinator shall be notified of any LPR equipment needing maintenance or repair. The coordinator will then coordinate all maintenance and repair.

### IV. Data and Record Keeping

- A. LPR equipment has the capability to store and/or cause to store data collected during deployments. LPR data may be stored in a central database. This database can be searched and information retrieved by department employees for official law enforcement purposes in accordance with this policy.

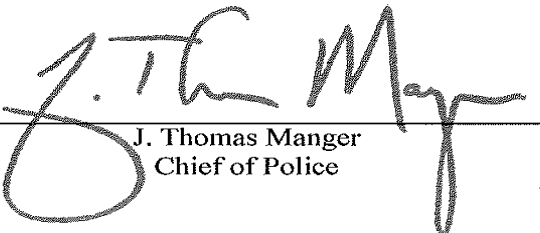
- B. If an officer determines that LPR data could be valuable, the officer can query data from the LPR database. Data can be retrieved, copied and stored in a case file in order to enhance the initial or follow-up investigation.

**V. Dissemination and Retention of Data**

- A. Use by Montgomery County Police employees and other law enforcement agencies is restricted to official law enforcement purposes. Montgomery County Police can share this data with other law enforcement agencies for official law enforcement purposes if those agencies have similar use restriction policies or procedures in effect. Sharing of data shall be based on the following procedures:
1. All requests for and dissemination of data will be recorded in the dissemination log of the database.
  2. No information will be released to any non-law enforcement agency or individual. It is the responsibility of the individual disseminating the data to ascertain that the request for the information is for legitimate law enforcement purposes. In the event it is determined that the request is for non-law enforcement activities, dissemination of the data is prohibited and the employee's supervisor will be immediately contacted.
  3. All requests should be in written form (electronic or paper) to the Director of SID. However, the Director of SID can honor oral requests as long as the receiving officer confirms the authenticity of the requester.
  4. All disseminated information will be sent to the requestor's commanding officer, attention to the requester.
  5. No information will be disseminated to outside agencies without authorization from the Director of SID.
  6. The Director of SID will ensure that the receiving agency knows, understands and agrees that this information cannot be duplicated or given to another agency or individual.
- B. It is the policy of the department to audit the files on a regular basis. Data is to be purged from the files when it has been determined that one or more of the following conditions exist:
1. The data is no longer relevant or necessary to the goals and objectives of this directive.
  2. The data cannot be utilized for any present and/or future law enforcement purpose to assist in the furtherance of criminal investigations. Data stored in case files are exempt from this requirement.

**VI. CALEA Standards: 41.3.7**

**VII. Proponent Unit: Special Investigations Division**



J. Thomas Manger  
Chief of Police